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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,764	11/10/2003	Matt Clark	109927-135178	4384
25943	7590	07/05/2006		
SCHWABE, WILLIAMSON & WYATT, P.C. PACWEST CENTER, SUITE 1900 1211 SW FIFTH AVENUE PORTLAND, OR 97204			EXAMINER HUYNH, CHUCK	
			ART UNIT 2617	PAPER NUMBER

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/705,764	CLARK ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Chuck Huynh	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 07 April 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6 and 19-26 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6, 19-26 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

### **DETAILED ACTION**

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

#### ***Response to Amendment***

1. Claims 7-18 are cancelled.
2. Claims 19-26 are New.

#### ***Response to Arguments***

1. Applicant's arguments with respect to all the claims have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, and 19-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Weisshaar et al. (US 6580916; hereinafter Weisshaar).

Regarding claim 1, Weisshaar discloses a method comprising:

defining by a service framework provider, a plurality of features of a service to be performed by one or more vendors (servers/service providers) separate and distinct from the service delivery framework provider and from each other, each feature having one or more concepts (Col 3, lines 33-45, line 62 – Col 4, line 10; Col 11, lines 20-29; Col 8, lines 44-48);

accepting by the service framework provider (services being connected to the service framework provider), a first and second user interface definition from a first and a second vendor equipped and available to provide the service, the first and second user interfaces including first and second indicia correspondingly identifying a solution provided in response to a request for the service as being provided by the first or the second vendor, respectively (Col 12, line 45 – Col 13, line 35);

receiving by the service delivery framework provider, from a client device, a request for the service expressed in terms of selected one(s) of the one or more concepts of selected one(s) of the one or more features of the service (user request service/information Col 2, lines 48-49);

routing by the service delivery framework provided, the received request for the service to the first vendor (Col 20, lines 20-44);

receiving by the service delivery framework provider, a solution to the request for the service from the service vendor (Col 20, lines 40-44);

returning by the service delivery framework provider, the solution to the service request to the client device, employing the first user interface having the first indicia identifying the solution as being provided by the first vendor (Col 20, lines 40-44; Fig. 8, Col 20, line 55 – Col 21, line 15).

Regarding claim 2, Weisshaar discloses the method of claim 1, wherein at least first user interface definition further identifying one or more icons, buttons, or menus (Col 8, lines 3-7).

Regarding claim 3, Weisshaar discloses the method of claim 1, where said defining of the features comprises identifying resources of the features (identifying available services Col 13, lines 1- 62).

Regarding claim 4, Weisshaar discloses the method of claim 3, wherein said identifying of resources comprises identifying one or more images, HTML pages, or style sheets (Col 4, lines 44-46; Col 10, lines 45-47).

Regarding claim 5, Weisshaar discloses the method of claim 3, wherein said identifying of resources comprises identifying data items of databases (software/program within memory for updating after receiving service) on a service

requesting client device, to be updated (Fig. 5; Col 7, lines 16-31; Col 8, lines 26-28, 33-35, 57-60)

Regarding claim 19, it would be inherent that a user can make multiple requests for different services at another time. Therefore, Weisshaar does disclose the method of claim 1, wherein the method further comprises:

receiving by the service delivery framework provider, from another client device, another request for the service expressed in terms of selected one(s) of the one or more concepts of selected one(s) of the one or more features of the service (user request service/information Col 2, lines 48-49);

routing by the service delivery framework provider, the received another request for the service to the second vendor (Col 20, lines 20-44);

receiving another solution to the request for the service from the second service vendor (Col 20, lines 40-44);

returning the solution to the service request from the second service vendor to the client device, employing the second user interface having the second indicia identifying the solution as being provided by the second vendor (Col 20, lines 40-44; Fig. 8, Col 20, line 55 – Col 21, line 15).

Claims 22 and 25 are similarly rejected as claim 19.

Regarding claim 20, Weisshaar discloses the method of claim 1, wherein the indicia is textual or graphical, or both (Col 4, lines 54-67; Fig. 1, no. 131).

Claims 23 and 26 are similarly rejected as claim 20.

Regarding claim 21, Weisshaar discloses an apparatus (a local node) comprising:

**storage medium** (Col 5, lines 45-57) having stored therein a plurality of feature of a service and a plurality of programming instructions, the features being defined by a service delivery framework provider and to have one or more concepts, the service to be provided by one or more vendors separate and distinct from the service delivery framework provider and from each other, and the programming instructions desired to enable the apparatus to operate as a service delivery framework (Col 3, lines 33-45, line 62 – Col 4, line 10; Col 11, lines 20-29; Col 8, lines 44-48), including:

accepting a first and a second user interface definition from a first and a second vendors equipped and available to provide the service, the first and second user interfaces including first and second indicia correspondingly identifying a solution provided in response to a request for the service as being provided by the first or the second vendor, respectively (Col 12, line 45 – Col 13, line 35);

receiving from a client device, a request for the service expressed in terms of selected one(s) of the one or more concepts of selected one(s) of the one or more features of the service (user request service/information Col 2, lines 48-49);

routing the received request for the service to the first vendor (Col 20, lines 20-44),

receiving a solution to the request for the service from the first service vendor (Col 20, lines 40-44), and

returning the solution to the service request to the client device, employing the first user interface having the first indicia identifying the solution as being provided by the first vendor (Col 20, lines 40-44; Fig. 8, Col 20, line 55 – Col 21, line 15); and

at least one processor coupled to the storage medium to execute the programming instructions (Col 5, lines 45-57).

Regarding claim 24, Weisshaar discloses an article of manufacture comprising: storage medium (Col 5, lines 45-57); and a plurality of programming instructions desired to program an apparatus enable the apparatus to operate as a service delivery framework for a service delivery framework provider (Col 3, lines 33-45, line 62 – Col 4, line 10; Col 11, lines 20-29; Col 8, lines 44-48), including enabling the apparatus to:

accept from the service delivery framework provider, a plurality of features of a service, each feature having one or more concepts (Col 3, lines 33-45, line 62 – Col 4, line 10; Col 11, lines 20-29; Col 8, lines 44-48),

accept from a first and a second vendors equipped and available to provide the service, a first and a second user interface definition, the first and second vendors being separate and distinct from the service delivery framework provider and from each other,

and the first and second user interfaces including first and second indicia correspondingly identifying a solution provided in response to a request for the service as being provided by the first or the second vendor, respectively (Col 12, line 45 – Col 13, line 35),

receive from a client device, a request for the service expressed in terms of selected one(s) of the one or more concepts of selected one(s) of the one or more features of the service,

route the received request for the service to the first vendor (Col 20, lines 20-44),  
receive a solution to the request for the service from the first service vendor (Col 20, lines 40-44), and

return the solution to the service request to the client device, employing the first user interface having the first indicia identifying the solution as being provided by the first vendor (Col 20, lines 40-44; Fig. 8, Col 20, line 55 – Col 21, line 15).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weisshaar in view of Ausems et al. (US 2003/0013483; hereinafter Ausems).

Regarding claim 6, Weisshaar discloses Internet capability and protocols (Col 4, lines 44-46), and all the particulars of the claim except for the method of claim 1, wherein said associating of the plurality of features with the user interface comprises jointly expressing the user interface and the features in terms of XML statements.

However, Ausems does disclose wherein said associating of the plurality of features with the user interface comprises jointly expressing the user interface and the features in terms of XML statements (Page 8, [0068]).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Ausems' disclosure to provide displaying capability of Internet access.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Huynh whose telephone number is 571-272-7866. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Chuck Huynh



ELISEO RAMOS-FELICIANO  
PRIMARY EXAMINER